

REMARKS/ARGUMENTS

In the Final Office Action mailed October 12, 2005, claims 1, 2, 4-11 and 13-27 were rejected. By this amendment, Applicants amend claims 1, 4-6, 10-11, 13-14 and 17-19 and cancel claims 8, 9, 15, 16, 20-24 and 27. (Claims 3 and 12 were previously canceled.) In addition, Applicants add new claims 28-37. Support for the amendments is found in the specification, and no new matter is added. As such, claims 1, 2, 4-7, 10, 11, 13, 14, 17-19, 25, 26 and 28-37 remain pending in the application.

Applicants have thoroughly reviewed the outstanding Office Action including the Examiner's remarks and the references cited therein. The following remarks are believed to be fully responsive to the Final Office Action. All the pending claims at issue are believed to be patentable over the cited references. Therefore, reconsideration and withdrawal of the outstanding rejections are respectfully requested in view of the following remarks.

CLAIM REJECTIONS UNDER 35 U.S.C. § 102

Initially, Applicants note that it is axiomatic that the Section 102 rejection is proper "only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference" – i.e., the prior art must teach every aspect of the claim. *See Verdegall Bros. v. Union Oil Co. of California*, 918 F.2d 628, 631 (Fed. Cir. 1987); *see also* M.P.E.P. § 2131.

Claims 1, 2, 4, 11 and 14-27 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 2,956,823 to Benjamin *et al.* (hereinafter referred to as "Benjamin"). Applicants respectfully traverse these rejections. In light of the following remarks, Applicants respectfully submit that these claims are allowable.

Benjamin does not teach or suggest a combination recited by Applicants' claims, as is required for a rejection under 35 § U.S.C. 102(b). For example, Applicants' independent claim

1, and its dependent claims 2, 4-7, 10, 25, 26 and 28-32 recite in part, “a housing [and] a pipe inserted into the housing, the pipe having a tubular body, a flared end inside the housing and a shoulder outside the housing..., wherein the shoulder is positioned to prevent the flared end from extending beyond the housing.”

In contrast, Benjamin discloses an expansion joint for piping having a “pipe section [] provided with an abutment such as a ring 23 which engages the flared end as at 24, thus insuring that the O-ring will not pass beyond the end of the part of the casing,” “[i]n order that this O-ring will not slide off of the end of the pipe section.” (See Benjamin, col. 2, ll. 34-38; FIGs. 1-4.) However, Benjamin does not disclose “a shoulder outside the housing..., wherein the shoulder is positioned to prevent the flared end from extending beyond the housing.”

Thus, Benjamin does not teach or suggest every aspect of Applicants’ independent claim 1 and its dependent claims 2, 4-7, 10, 25, 26 and 28-32, because Benjamin does not include each and every element, as set forth in Applicants’ claims. At least for these reasons, Applicants respectfully request that the rejections under Section 102 as being anticipated by Benjamin be removed with respect to claim 1 and its dependent claims 2, 4 and 25-26.

Similarly, Applicants’ independent claim 11, and its dependent claims 13, 14, 17, 33 and 34 recite in part, “means for conveying a fluid[] and means for housing the conveying means ... wherein the conveying means comprise[] terminating means for abutting against an inner surface of the housing means to prevent the conveying means from exiting the housing means [and] shoulder means for abutting against an outer surface of the housing means to prevent the terminating means from extending beyond the housing means....”

Thus, as explained above, Benjamin does not teach or suggest every aspect of Applicants’ independent claim 11 and its dependent claims 13, 14, 17, 33 and 34, because Benjamin does not include each and every element, as set forth in Applicants’ claim. Therefore, at least for these reasons Applicants respectfully request that the rejections of claim 11 and its

dependent claims 14 and 17 be removed under 35 U.S.C. § 102 as being anticipated by Benjamin.

Correspondingly, Applicants' independent claim 18 and its dependent claims 19, 35 and 36 recite in part, "sliding a first pipe into a slip joint adapter; flaring an end of the pipe inside the slip joint adapter to prevent the first pipe from exiting the slip joint adapter; [and] providing a shoulder on the first pipe outside the slip joint adapter to prevent the flared end from extending beyond the slip joint adapter...."

Thus, as explained above, Benjamin does not teach or suggest every aspect of Applicants' independent claim 18 and its dependent claims 19, 35 and 36, because Benjamin does not include each and every element, as set forth in Applicants' claims. Therefore, at least for these reasons Applicants respectfully request that the rejections of claim 18 and its dependent claim 19 under 35 U.S.C. § 102 as being anticipated by Benjamin, be removed.

In addition, claims 1, 2, 4, 7, 8, 11-15, 17-20 and 22-27 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,451,483 to Van Houtte *et al.* (hereinafter referred to as "Van Houtte"). Applicants respectfully traverse these rejections. In light of the following remarks, Applicants respectfully submit that these claims are allowable.

Van Houtte does not teach or suggest a combination recited by Applicants' claims, as is required for a rejection under 35 § U.S.C. 102(b). In contrast to Applicants' claimed invention, Van Houtte discloses a sprinkler head fitting "comprising a tubular body portion 15, a sleeve or nipple 16 which is longitudinally movable but non-rotatably retained in the body..." (Van Houtte, col. 2, ll. 36-37 and 46-49; FIGs. 1 and 3), wherein "the nipple 16 is provide with lateral projections or ears 32 ... to hold it against rotation relative to the body" (Van Houtte, col. 3, ll. 20-21 and 31-32; FIGs. 1 and 3). However, Van Houtte does not disclose "a shoulder outside the housing..., wherein the shoulder is positioned to prevent the flared end from extending beyond the housing."

Thus, as explained above, Van Houtte does not teach or suggest every aspect of Applicants' independent claim 1 and its dependent claims 2, 4-7, 10, 25, 26 and 28-32, because Van Houtte does not include each and every element, as set forth in Applicants' claims. At least for these reasons, Applicants respectfully request that the rejections under Section 102 as being anticipated by Van Houtte be removed with respect to claim 1 and its dependent claims 2, 4, 7, 25 and 26.

Likewise, as explained above, Van Houtte does not teach or suggest every aspect of Applicants' independent claim 11 and its dependent claims 13, 14, 17, 33 and 34, because Van Houtte does not include each and every element, as set forth in Applicants' claim. Therefore, at least for these reasons Applicants respectfully request that the rejections of claim 11 and its dependent claims 13, 14 and 17 be removed under 35 U.S.C. § 102 as being anticipated by Van Houtte.

Additionally, as explained above, Van Houtte does not teach or suggest every aspect of Applicants' independent claim 18 and its dependent claims 19, 35 and 36, because Van Houtte does not include each and every element, as set forth in Applicants' claims. Therefore, at least for these reasons Applicants respectfully request that the rejections of claim 18 and its dependent claim 19 under 35 U.S.C. § 102 as being anticipated by Van Houtte, be removed.

Furthermore, claims 1, 2, 5, 6, 8-11, 14, 16-19, 22-25 and 27 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,603,887 to Mayfield *et al.* (hereinafter referred to as "Mayfield"). Applicants respectfully traverse these rejections. In light of the following remarks, Applicants respectfully submit that these claims are allowable.

Mayfield does not teach or suggest a combination recited by Applicants' claims, as is required for a rejection under 35 § U.S.C. 102(b). In contrast to Applicants' claimed invention, Mayfield discloses a dynamic coupling means 34 that includes a longitudinal adjustment means. (See Mayfield, col. 10, ll. 5-7 and 46-49; FIGs. 1B and 7.) The longitudinal adjustment means of

Mayfield includes a rigid housing 184, including an outer member 188, and a pipe 198 with a head portion 200. (*See* Mayfield, col. 10, ll. 26-28 and 54-59; FIG. 7.) The pipe end 212 is connected to a hub 216 at an indeterminate distance from the rigid housing 186, as indicated by the two long-break lines intervening between the housing 184 and the hub 216. (*See* Mayfield, col. 11, ll. 32-36; FIG. 7.) Thus, Mayfield does not disclose “a shoulder outside the housing..., wherein the shoulder is positioned to prevent the flared end from extending beyond the housing.”

Thus, as explained above, Mayfield does not teach or suggest every aspect of Applicants’ independent claim 1 and its dependent claims 2, 4-7, 10, 25, 26 and 28-32, because Mayfield does not include each and every element, as set forth in Applicants’ claims. At least for these reasons, Applicants respectfully request that the rejections under Section 102 as being anticipated by Mayfield be removed with respect to claim 1 and its dependent claims 2, 5, 6, 10 and 25.

Likewise, as explained above, Mayfield does not teach or suggest every aspect of Applicants’ independent claim 11 and its dependent claims 13, 14, 17, 33 and 34, because Mayfield does not include each and every element, as set forth in Applicants’ claim. Therefore, at least for these reasons Applicants respectfully request that the rejections of claim 11 and its dependent claims 14 and 17 be removed under 35 U.S.C. § 102 as being anticipated by Mayfield.

Moreover, as explained above, Mayfield does not teach or suggest every aspect of Applicants’ independent claim 18 and its dependent claims 19, 35 and 36, because Mayfield does not include each and every element, as set forth in Applicants’ claims. Therefore, at least for these reasons Applicants respectfully request that the rejections of claim 18 and its dependent claim 19 under 35 U.S.C. § 102 as being anticipated by Mayfield, be removed.

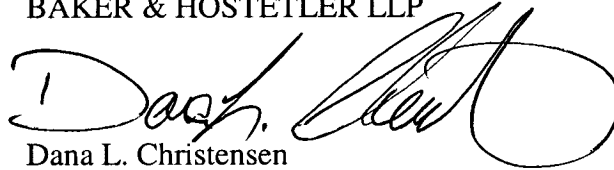
CONCLUSION

In view of the foregoing remarks, Applicants respectfully request the objections and rejections be removed and the pending claims allowed. If, for any reason, the Examiner disagrees, please call the undersigned attorney at 202-861-1567 in an effort to resolve any matter still outstanding before issuing another action. The undersigned attorney is confident that any issue which might remain can readily be worked out by telephone.

In the event this paper is not time filed, Applicants petition for an appropriate extension of time. Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-2036.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "Dana L. Christensen", is written over the printed name.

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